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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10-22-02

Attorney Docket No. 089367/0113

Applicant: Tadashi SAITO et al.

Title: PATH SEARCH METHOD OF SPREAD SPECTRUM  
COMMUNICATION SYSTEM AND RECEIVER USING THE  
METHOD

Serial No.: 09/781,234

Filed: February 13, 2001

Examiner: Unassigned

Art Unit: 2631

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

**CERTIFICATION**

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement.

**RELEVANCE OF EACH DOCUMENT**

A translation of a portion of a Japanese Office Action that issued September 17, 2002 with respect to a counterpart Japanese patent application is provided below.

"Note (See the List of Cited Literature for a list of cited literature.)

Claims: 1 through 10

Cited literature: 1

## Remarks

Cited Literature 1 (Scope of Patent Claims and Detailed Description of the Invention {0012} to {0067}) describes an invention whereby, in order to reduce power consumption in dual port RAM and reception level memory, peak search on each arriving electromagnetic wave is performed only near the predetermined arrival time to narrow the search range for each arriving electromagnetic wave; thus, setting two types of delay profile calculation ranges—a tracking window and a search window—in order to implement miniaturization and reduced power consumption is easy.

Therefore, the inventions regarding Claims 1 through 10 of the present application could have been easily conceived of by a person skilled in the art based on the invention described in Cited Literature 1.

No reasons for rejection have been discovered at present for inventions regarding claims other than the claims indicated in this notice of reasons for rejection. If any reasons for rejection are newly discovered, a Notice of Reasons for Rejection will be issued.

## List of Cited Literature

1. Japanese Unexamined Patent Application Publication 2000-22665

## Record of Prior Art Literature Search Results

Fields searched - IPC 7<sup>th</sup> Edition - H04J 13/00 - 13/06  
H04B 1/69 - 1/713

DB name

## Prior Art Literature

Japanese Unexamined Patent Application Publication H11-187450 (a mobile station device wherein the search window for cell search is partitioned, and correlation detection is performed on the partitioned search width); Japanese Unexamined Patent Application Publication H11-17648 (a correlator with correlation detection divided into two stages to reduce the volume of computation); Japanese Unexamined Patent Application Publication

H11-27180 (a timing detection method that makes the search range variable in accordance with the periodicity of intermittent reception); Japanese Unexamined Patent Application Publication H11-298401 (a path detection means whereby search window width is set in accordance with multipath widening)

This record of prior art literature search results does not constitute a reason for rejection."

Applicant's statements regarding the Japanese Office Action are based on a partial translation that Applicant's representative obtained. These statements should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Japanese Office Action.

Documents A1 and A2 are U.S. patents believed to correspond to documents A5 and A3, respectively.

Applicant respectfully requests that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

*OCT. 18, 2002*

Date



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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.